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27820 7590 07/29/2008 WITHROW & TERRANOVA, P.L.L.C. 100 REGENCY FOREST DRIVE SUITE 160 CARY, NC 27518				
EXAMINER KIM, WESLEY LEO				
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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* DANY SYLVAIN

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Appeal 2007-3924  
Application 10/693,539  
Technology Center 2600

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Decided: July 29, 2008

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Before KENNETH W. HAIRSTON, JOSEPH F. RUGGIERO  
and MARC S. HOFF, *Administrative Patent Judges*.  
HAIRSTON, *Administrative Patent Judge*.

DECISION ON APPEAL

ON REQUEST FOR REHEARING

Appellant has requested a rehearing of our decision dated April 17, 2008, wherein we affirmed the obviousness rejections of claims 1 to 40.

In response to Appellant's arguments throughout the Request for Rehearing that the Board misapprehended the disclosed and claimed

invention, and did not demonstrate that the claimed invention set forth in claim 1 on appeal reads on the teachings of Abidi, we make the following additional findings of fact.

Appellant's disclosed and claimed invention is directed to a terminal adapter 16 that permits a mobile terminal 12 to communicate in a wireless manner with a wireline network (e.g., PSTN 22) in wireless communication zone 24 (Figs. 1 and 3). The terminal adapter 16 includes an interface 42 to the wireline network 22, a local wireless interface 40 that provides wireless coverage for the mobile terminal in the wireless communication zone 24, and a control system 38 that controls both interfaces 40 and 42. During a first call in the wireless communication zone 24, the mobile terminal 12 uses a primary directory number to talk to the wireline network 22 via the wireless interface 40 and the interface 42 to the wireline network 22. When the mobile terminal 12 moves out of the wireless communication zone 24, the control system 38 initiates a transition of the first call (between the mobile terminal 12, the interfaces 40 and 42 in the terminal adapter 16, and the wireline network 22) via the use of a temporary directory number so that the first call is connected to the mobile terminal 12 through a wireless network 20.

Abidi describes a system that includes a wireline cordless base station 54 that permits a mobile terminal 60 to communicate in a wireless manner with a wireline network 12 in wireless communication zone 58 (Fig. 1; col. 2, l. 66 to col. 3, l. 18 ). The wireline cordless base station 54 includes a wireline network interface 500, a local wireless interface 518, and a control system (e.g., processor 520) that cooperates with the wireline network

interface 500 and the local wireless interface 518 (Fig. 5; col. 5, ll. 21 to 38). When the mobile terminal 60 is operating within the communication zone 58 of the wireline network 12, the mobile terminal 60 is associated with the directory number of the wireline network 12, and the mobile terminal 60 is adapted to communicate with the local wireless interface 518 to facilitate a call through the wireline network 12 and to communicate with the wireless network 10 to facilitate a call through the wireless network. The processor control system 520 operating in conjunction with the interfaces 500 and 518, establishes through the wireline network 12 a first call involving the mobile terminal 60 communicating with the wireline network 12 via the wireline network interface 500 and communicating with the mobile terminal via the local wireless interface 518 (col. 5, ll. 21 to 57). If the mobile terminal 60 moves out of the communication zone 58 during the first call, the control system processor 520 initiates a transition of the first call being connected to the mobile terminal 60 through the wireline network 12 via the local wireless interface 518 to the first call being connected to the mobile terminal 60 through the wireless network 10 using a temporary directory number (col. 1, l. 62 to col. 2, l. 4; col. 3, ll. 6 to 17; col. 3, l. 63 to col. 4, l. 39; col. 5, l. 58 to col. 6, l. 16).

In response to Appellant's argument throughout the Request for Rehearing that Abidi neither teaches nor would have suggested to the skilled artisan the ultimate limitation in claim 1, we find that Abidi specifically explains that the same "first" call is forwarded using a directory number assigned to the mobile station in the wireless network to a directory number assigned to the wireline network (col. 6, ll. 23 to 37). In other words, Abidi

teaches or would have suggested to the skilled artisan that the mobile terminal 60 may roam between the communication zone 58 in the wireline network 12 and the wireless network 10 and still maintain the same call.

In summary, we still maintain that “Abidi teaches or would have suggested to the skilled artisan all of the system structure set forth in claim 1,” and that “Appellant’s arguments are not convincing of the nonobviousness of the claimed subject matter set forth in claim 1 on appeal, and the claims grouped therewith” (Decision 6).

Appellant’s request for rehearing has been granted to the extent that our decision has been reconsidered, but such request is denied with respect to making any modifications to the decision.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a)(1)(iv).

REHEARING

DENIED

KIS

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